

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VERN E. McGINNIS, JR.,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 15-398
)	Chief Judge Joy Flowers Conti/
)	Chief Magistrate Judge Maureen P. Kelly
MARK HAMMER, <i>Physician's Assistant</i> ;)	
CHCA STEPHANIE WOOD;)	
SUPERINTENDANT MARK CAPOZZA;)	
CARROL SCIRE, <i>Superintendent's</i>)	
<i>Assistant/Grievance Coordinator</i> ;)	Re: ECF Nos. 125 and 132
<i>Individually and in their official capacities</i> ;)	
and CORRECT CARE SOLUTIONS, LLC,)	
Defendants.)	

ORDER

AND NOW, this 25th day of September, 2017, after Plaintiff Vern E. McGinnis, Jr. ("Plaintiff") filed an action in the above-captioned case, and after motions to Dismiss Plaintiff's Third Amended Complaint were filed by Defendants Superintendent Mark Capozza, Carrol Scire and Stephanie Wood, ECF No. 125, and by Defendants Correct Care Solutions, LLC and Mark Hammer, ECF No. 132, and after a Report and Recommendation was filed by a United States Magistrate Judge, ECF No. 144, and upon consideration of the objections filed by Plaintiff on September 15, 2017, ECF No. 149, which raise only brief arguments that were already correctly addressed in the through Report and Recommendations, and upon independent review of the record, and upon consideration of the magistrate judge's Report and Recommendation, which is adopted as the opinion of this court, and

IT IS HEREBY ORDERED that the motions to dismiss, ECF Nos. 125 and 132, are GRANTED and that the Third Amended Complaint is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of

Appellate Procedure, if any party wishes to appeal from this order a notice of appeal, as provided in Federal Rule Appellate Procedure 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

By the Court:

/s/ Joy Flowers Conti

Chief United States District Judge

cc: Honorable Maureen P. Kelly
Chief United States Magistrate Judge

Vern E. McGinnis, Jr.
DG-2841
SCI Forest
P.O. Box 945
Marienville, PA 16239

All counsel of record via CM-ECF